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*Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

JONATHAN STOLL, On Behalf of Himself  
and All Others Similarly Situated,

Case No. c 13-04149 CW

Plaintiff,

v.

MICHAEL R. ABBOTT, NORA DENZEL,  
MICHAEL FAWKES, WILLIAM M. KLEIN,  
WILLIAM N. MACGOWAN, WILLIAM F.  
RUSSELL, DOW R. WILSON, and SABA  
SOFTWARE,

Defendants.

**STIPULATION AND ~~PROPOSED~~ ORDER  
GOVERNING PLAINTIFF'S MOTION TO REMAND**

1 WHEREAS, on July 12, 2013, plaintiff Jonathan Stoll ("Plaintiff") commenced this action  
2 by filing a Verified Class Action Complaint for Equitable and Injunctive Relief (the "Complaint")  
3 in the Superior Court of California, County of San Mateo (the "State Court"); and

4 WHEREAS; on September 8, 2013, defendants Michael R. Abbott, Nora Denzel, Michael  
5 Fawkes, William M. Klein, William N. MacGowan, William F. Russell and Dow R. Wilson filed  
6 in this Court a Notice of Removal of State Court Civil Action; and

7 WHEREAS, Plaintiff intends to file a motion to remand the action to the State Court; and

8 WHEREAS, the parties have met and conferred regarding a schedule for Plaintiff's motion  
9 to remand the action to the State Court;

10 IT IS HEREBY STIPULATED BY THE PARTIES AND ORDERED BY THE COURT as  
11 follows:

- 12 1. Plaintiff shall file his motion to remand the action to the State Court, and all  
13 documents in support thereof, on or before September 20, 2013;
- 14 2. Defendants shall file their opposition to Plaintiff's motion to remand the action to  
15 the State Court, and all documents in support thereof, on or before October 4, 2013;
- 16 3. Plaintiff shall file his reply in support of his motion to remand the action to the State  
17 Court, and all documents in support thereof, on or before October 11, 2013;
- 18 4. A hearing on Plaintiff's motion to remand shall be held at 2:00 p.m. on November 7,  
19 2013; and
- 20 5. Defendants' response to Plaintiff's Complaint is deferred pending a ruling on  
21 Plaintiff's motion to remand the action to the State Court, at which point the parties  
22 will meet and confer regarding an appropriate schedule.

23 Dated: September 16, 2013

**KESSLER TOPAZ MELTZER  
& CHECK, LLP**

24  
25 /s/ Eric L. Zagar  
Eric L. Zagar

26 *Attorneys for Plaintiff Jonathan Stoll*  
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1 Dated: September 16, 2013

**MORRISON & FOERSTER LLP**

2 /s/ Mark R.S. Foster

3 Mark R.S. Foster

4 *Attorneys for Michael R. Abbott, Nora Denzel,*  
5 *Michael Fawkes, William M. Klein, William N.*  
6 *MacGowan, William F. Russell, Dow R.*  
7 *Wilson and Saba Software, Inc.*

8 IT IS SO ORDERED.

9 DATED: September 18, 2013

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11 HONORABLE CLAUDIA WILKEN  
12 United States District Judge  
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